



United States District Court District of South Carolina

Electronic Case Filing - Frequently Asked Questions

Volume 2

I'm filing a new case that has a complaint, summons, civil cover sheet and LR 26.01 interrogatories. Do I make a separate entry for each document in the shell case (05-av-99999)?

No. You should only make one entry into the shell case number. The initiating pleading (complaint, notice of removal, etc) should be the main document. You'll only need to enter the names of the first plaintiff and first defendant. All other items need to be attachments to the main document. If submitting an application to proceed *in forma pauperis*, attach the initiating documents to the *in forma pauperis* application.

How will I get my case number and summons back on a new case?

You will be notified via the Notice of Electronic Filing (NEF) of the case number and judge assignment. The clerk's office will print and process the summons which will be mailed, or at the filing user's request, may be picked up.

How many pages are there in a 4 megabyte (MB) size file?

A 4 MB file size is usually about 200 pages from a word-processor and about 100 pages scanned.

Does the free look from the hyperlink on Notice of Electronic Filing (NEF) expire?

Yes. The free look expires 15 days from transmission of the NEF or after the first use, whichever comes first. Any time that same hyperlink is accessed after it has expired, the NEF recipient will be asked for a PACER login and will be charged to view the document.

I don't have WordPerfect but the judge's preferences state that I need to send my

proposed order as a WordPerfect document. How can I do this?

MS Word users must save document as “Type=WordPerfect for Windows.” If that setting isn’t available, you can save as “Rich Text Format” or RTF.

Do all of the reports on the ECF Reports Menu require a PACER login and fee?

No. There are several free reports available to filing users, such as the calendar reports, Written Opinions report , and Activity in My Cases report.

How many additional addresses can I add to my account to receive notice of all filings in my cases and will each receive the free look?

The field for additional e-mail addresses accepts up to 250 characters (approximately ten e-mail addresses). Separate each address with a comma and space. Each e-mail address will receive their own free look and the opportunity to download the document.

May *Pro Hac Vice* attorneys file electronically in their cases?

No. Attorneys admitted *pro hac vice* are not permitted to e-file documents, but are permitted to receive courtesy electronic notices along with the right to “one free look.” *Pro Hac Vice* (PHV) attorneys are considered participants in the ECF system, rather than filers.

How do I know which parties to serve traditionally?

The NEF will advise you who requires traditional service. Hard copy service is required only for local counsel who are not yet registered as filing users with CM/ECF, *pro se* parties, and attorneys excused from participation in CM/ECF. Service on those entitled to be served by hard copy must be accompanied by a copy of the NEF, and a certificate of service must be filed electronically within one business day.

Should I convert my documents for e-filing or scan them?

Convert, do not scan. With certain exceptions, e-filed documents should be converted to a PDF file from a word-processing software program, and should not be scanned. Converted documents require much less computer memory than scanned documents and are text-

searchable. The exception to the rule is that exhibits should normally be scanned since they are not documents that counsel have in a word-processing format.

I have exhibits that were not created in a word-processor. How do I file them with my document?

Scan and save in PDF. Scanned exhibits should be easily readable (black and white, 200 dpi resolution is usually appropriate). Exhibits must be filed as attachments to the main document. Each attachment should include a descriptive name and cannot exceed the 4 MB file size limit. Call the clerk's office if something cannot be scanned.

May I share my password with my staff?

You may authorize a non-attorney staff member to complete electronic filing on your behalf, but only after you have personally approved the final document. This is necessary because use of your password together with your s/typed name constitutes your signature. You may not allow another attorney (including associated out-of-state counsel) to use your password.

Where's the FILED stamp?

E-filed documents do not have the traditional FILED stamp. A recent upgrade to the CM/ECF software places a "header" on each filed document. The header shows the case number, docket entry number, filed date, and page numbers.

What is the appropriate case number format for looking up cases in ECF?

The case number format has changed slightly in ECF. You do not need to enter the division number in ECF to find a case (although you should continue to use the division number on the document itself.) When looking up a case in ECF, you can use the year and sequence number (05-0001). If you insert the type of case between the two numbers (*e.g.*, "cr" or "cv"), you will go directly to the case. If you omit these letters, the system will offer you a choice of captions from which you can select the appropriate case.

Should I continue to use the judges' numerical codes on pleadings?

No. Judge numbers are now replaced with initials. For example, Judge Joseph Anderson's code was 17; now it is JFA.

What do I do if I lose or misplace my ECF login/password?

For lost or misplaced ECF logins and/or passwords, send an email to ecf_registration@scd.uscourts.gov and include the attorney's name and federal court ID number. The original ECF information will be resent to the email address listed on the registration form.

May my secretary s/ his or her name on the certificate of service?

No. Only registered filing users are permitted to use the s/typed name. If filed by itself, the attorney must s/ the certificate of service. If scanned and attached to the document you're filing, the paralegal or secretary may sign it (wet signature).

May my co-counsel file the document that is signed by me (using their login) if I am out of the office?

No. The ECF login and s/typed name on the document being filed need to match, as the two components together constitute the electronic signature

Do I have to file a certificate of service if all attorneys are signed up on CM/ECF?

No. If all attorneys involved in the case are on ECF and received the NEF, no certificate of service is needed. The NEF serves as the certificate of service if all parties are electronically notified of the filing.

How long will it usually take before I receive my summons back from the clerk on an e-filed case?

New cases are usually retrieved from the shell case within 24 of e-filing and assigned a judge and case number. The method of return delivery on the summons (mail or pick-up) will impact the length of time it takes to receive the summons back from the clerk. In cases of emergency, please call the clerk's office to make arrangements to receive the summons back as quickly as possible.

Do I have to file all of my exhibits separately, or can I scan them all in together?

Always check the judge's e-filing preferences located on the court's website before proceeding. As a general rule, multiple exhibits (or other attachments) may be linked to the primary document as individual attachments, or if they do not exceed the allowable 4 MB file size, combined as a single attachment. Every attachment should contain a complete description.

How do I file sealed documents?

If you have a case or document which must be sealed, you must contact the Help Desk for instructions. As a general rule, motions to seal will be filed electronically while the documents addressed by the motion will be submitted in hard copy for *in camera* review. If the request to seal is granted, the documents will be filed electronically but access will be restricted as appropriate.

How do I file documents in a sealed case?

Attorneys can be allowed to file documents into sealed cases in which they have made an appearance. The Clerk must first, however, add the attorney in the case and grant the attorney access to the case only for the time period it takes to file the document into the sealed case. Call the clerk's office if you need to file in a sealed case.

Is there any way to pay for fees associated with filings other than by credit card?

Filing users must pay using a credit or debit card through Pay.gov. [Click Here for details.](#)

If I'm filing after business hours and attach the wrong PDF, should I re-file it again immediately and attach the new document, or wait until the next business day and contact the court before re-filing?

Do not re-file the document until you contact the clerk's office for further instructions.

If my deadline falls on a weekend or holiday, do I have until the next business day to file?

Yes.

How do I file documents bearing multiple attorney signatures?

If a document being filed is one “signed” by multiple Filing Users (including the attorney who does the filing), then the e-filed document should bear the s/typed name of all the signatories. The attorney filing the document represents that he or she has obtained the original signatures on a hard copy of the document in question and has that document in his or her possession.